



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 15-1316
November 16, 2015

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
OREGON FARMERS MUTUAL TELEPHONE COMPANY TO TOWNES MISSOURI, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-276

Comments Due: November 30, 2015

Reply Comments Due: December 7, 2015

Nicholas Robb (Receiver) and Townes Missouri, Inc. (Townes) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended, and section 63.03 of the Commission's rules, requesting consent to transfer control of Oregon Farmers Mutual Telephone Company (OFM) and its wholly-owned subsidiary, Oregon Farmers Mutual Long Distance (OFM Long Distance), via the Receiver to Townes.¹ Applicants state that Receiver took control of OFM Telephone and OFM Long Distance as part of a foreclosure action brought by Townes in the Circuit Court of Holt County, Missouri.

OFM Telephone, a Missouri corporation, provides incumbent local exchange carrier (LEC) serving approximately 826 access lines in and around the communities of Oregon, New Point, and Forest City in Holt County in northwestern Missouri. OFM Long Distance, also a Missouri corporation, is a wholly-owned subsidiary of OFM Telephone that resells interstate and intrastate long distance toll services and other telecommunications-related services in and around OFM Telephone's local exchange service area. OFM Long Distance is a wholly-owned subsidiary of Northwest Missouri Holdings, Inc., also a Missouri corporation.

Townes, a Delaware corporation, is a wholly-owned subsidiary of Townes Telecommunications, Inc., a Texas corporation and holding company that directly or indirectly owns the following eight incumbent LECs that provide services in rural portions of Texas, Arkansas, Kansas, Missouri, Colorado, Florida, and Pennsylvania: (1) Tatum Telephone Company (one exchange in Texas); (2) Electra Telephone Company (one exchange in Texas); (3) Walnut Hill Telephone Company (six exchange in Arkansas); (4) MoKan Dial, Inc. (four exchanges in Kansas and Missouri); (5) Choctaw Telephone Company (one exchange in Missouri); (6) Haxtun Telephone Company (three exchange in Colorado); (7) Northeast Florida Telephone Company (two exchange in Florida); and (8) Pymatuning Independent Telephone Company (one exchange in Pennsylvania). In the aggregate, these 19 local exchanges serve

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for the transfer of control of international and wireless services. Any action on this domestic section 214 application is also without prejudice to Commission action on other related, pending applications.

approximately 16,480 access lines. Townes Telecommunications Inc. is 100 percent jointly owned by Larry C. and Phillis Townes, both U.S. citizens. Applicants state that the Missouri exchange of OFM Telephone is not overlapping with or adjacent to the Missouri, Kansas or Arkansas exchanges owned and operated by Townes affiliates Choctaw Telephone Company, MoKan Dial, Inc., and Walnut Hill Telephone Company.

Applicants state that the proposed transaction is the result of a default on a note held by Rural Telephone Finance Cooperative, which was subsequently purchased by Townes. Following a judgment entered against Northwest and its subsidiaries, the Applicants entered into a settlement agreement wherein Northwest's shares were transferred to the Receiver, and upon regulatory approval, the Receiver will transfer the shares of Northwest to Townes. The Applicants assert that this proposed transaction qualifies for presumed streamlined treatment pursuant to section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Transfer of Control of Oregon Farmers Mutual Telephone Company to Townes Missouri, Inc., WC Docket No. 15-276 (filed Nov. 10, 2015).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before November 30, 2015**, and reply comments **on or before December 7, 2015**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov;
- 4) Sumita Mukhoty, Policy Division, International Bureau, smita.mukhoty@fcc.gov;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

² 47 C.F.R § 63.03(b)(2)(iii).

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

- FCC -